

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD GONDA,	:	CIVIL ACTION NO. 00-2286
	:	
	:	
Plaintiff,	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY and WILLIAM FRIEDT, JR.,	:	
	:	
Defendants.	:	
	:	
	:	
	:	
	:	

**METROPOLITAN LIFE INSURANCE COMPANY AND WILLIAM FRIEDT’S
MOTION IN LIMINE TO EXCLUDE EVIDENCE REGARDING THE
CONNECTICUT MARKET CONDUCT EXAMINATIONS OF METROPOLITAN
LIFE INSURANCE COMPANY AND RELATED DOCUMENTS**

Metropolitan Life Insurance Company (“MetLife”) and William Gerald Friedt, Jr.
(collectively “defendants”) hereby submits the following Motion in Limine to Exclude Evidence
Regarding the Connecticut Market Conduct Report (the “Connecticut Report”) and related
documents:¹

¹ A copy of the Connecticut Report, Plaintiffs’ Exhibit 57, is attached as Exhibit A to Defendants’ Motion. A letter dated December 19, 1997, from Daniel F. Harrigan, Program Manager, Market Conduct Division, State of Connecticut, to Harry P. Kamen, Plaintiffs’ Exhibit 108, is attached as Exhibit B to Defendant’s Motion. The State of Connecticut Insurance Department Stipulation and Consent Order, Plaintiffs’ Exhibit 109, is attached as Exhibit C to Defendant’s Motion. In support of the arguments set forth in detail in MetLife’s Brief in Support of its Motion to In Limine to Exclude Evidence Regarding the Connecticut Market Conduct Examinations and Related Documents, Defendants enclose Ex. D, Drummond v. Alia – The Royal Jordanian Airline Corp., 11 Fed. R. Evid. Serv. 1904 (W.D. Pa. 1982).

1. In Plaintiff's Exhibit list dated June 12, 2006, he has identified the Connecticut Market Conduct Report and certain related documents (Plaintiff's Proposed Exhibits 26, 110 and 111) , all of which are irrelevant to this case and highly prejudicial.

2. Plaintiff's Proposed Exhibits 57, 108, and 109 should be excluded for the reasons set forth in detail in Defendants' Brief in Support of its Motion to In Limine to Exclude Evidence Regarding the Connecticut Market Conduct Examinations and Related Documents, which is incorporated by reference.

WHEREFORE, Defendants respectfully requests that this Court grant Metropolitan Life Insurance Company's and William Gerald Friedt Jr.'s Motion in Limine to Exclude Evidence Regarding Connecticut Market Conduct Report and Related Documents.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

B. John Pendleton, Jr.
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102
(973) 622-4444

Attorneys for Defendants
Metropolitan Life Insurance Company and
William Friedt, Jr.

Dated: June 19, 2006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via the electronic case filing system, on this 19th day of June, 2006 on the following counsel of record:

Kenneth R. Behrend, Esq.
Behrend and Ernsberger, P.C.
Union National Bank Building
306 Fourth Avenue, Suite 300
Pittsburgh, PA 15222

s/ B. John Pendleton, Jr.